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General Assembly

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Fifty-ninth session
Item 17 (d) of the preliminary list*
Appointments to fill vacancies in subsidiary organs and other appointments

Appointment of members of the United Nations Administrative Tribunal

Note by the Secretary-General

1. By its resolution 55/159 of 12 December 2000, the General Assembly amended paragraphs 1 and 2 of Article 3 of the statute of the United Nations Administrative Tribunal (General Assembly resolution 351 A (IV) of 24 November 1949).

2. By its resolution 58/87 of 9 December 2003, the General Assembly further amended paragraph 1 of Article 3.

3. Article 3, paragraphs 1 and 2, of the statute of the United Nations Administrative Tribunal now read as follows:

> "1. The Tribunal shall be composed of seven members, no two of whom may be nationals of the same State. Members shall possess judicial or other relevant legal experience in the field of administrative law or its equivalent within the member's national jurisdiction. Only three members shall sit in any particular case.
>
> "2. The members shall be appointed by the General Assembly for four years and may be reappointed once. A member appointed to replace a member whose term of office has not expired shall hold office for the remainder of his or her predecessor's term, and may be reappointed once."

4. In paragraph 2 of its resolution 55/159, the General Assembly also decided that members serving on the Tribunal as at 1 January 2001 should have their current term of office extended by one year, and that thereafter, provided that they had not served on the Tribunal for more than seven years, they might be reappointed once.

* A/59/50 and Corr.1.

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5. The present membership of the Administrative Tribunal is the following:

Mr. Julio Barboza (Argentina)***

Mr. Omer Yousif Bireedo (Sudan)*

Mr. Spyridon Flogaitis (Greece)*

Mr. Kevin Haugh (Ireland)**

Ms. Jacqueline R. Scott (United States of America)**

Ms. Brigitte Stern (France)*

Mr. Dayendra Sena Wijewardane (Sri Lanka)***

* Term of office expires on 31 December 2004.

** Term of office expires on 31 December 2006.

*** Term of office expires on 31 December 2007.

6. Since the terms of office of Mr. Bireedo, Mr. Flogaitis and Ms. Stern will expire on 31 December 2004, it will be necessary for the General Assembly at its fifty-ninth session to appoint three persons to fill the resulting vacancies. The persons so appointed will serve for a period of four years, beginning on 1 January 2005.

7. At previous sessions, the Fifth Committee submitted to the General Assembly a draft decision containing the names of the persons recommended for appointment. It is suggested that a similar procedure be followed at the fifty-ninth session.